

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STARBUCKS CORPORATION,

Plaintiff,

v.

No. 2:17-cv-001223-GJF-KRS

ALAMO JAVA, LLC,

Defendant.

**ORDER VACATING ORDER TO SHOW CAUSE, DIRECTING PARTIES
TO SUBMIT CLOSING DOCUMENTS, AND VACATING
SETTLEMENT CONFERENCE**

THIS MATTER comes before the Court on Defendant's response (Doc. 57) to the Court's order to show cause. (Doc. 56). Defendant explains that the parties have resolved the case pending agreement to settlement documents and ask they be allowed until May 9, 2019 to submit closing paperwork to the Court. Once the settlement is finalized, Defendant believes Plaintiff's motion to compel (Doc. 52) to which Defendant has not responded will be moot. In the event the settlement is not completed in time, Defendant consents to the relief request in Plaintiff's motion to compel and requests that it be allowed to provide "good faith supplementation" to its incomplete responses by May 13, 2019. Having reviewed Defendant's response, the Court concludes Defendant has adequately address the Court's concerns and the approach Defendant describes resolves the outstanding issues between the parties.

IT IS, THEREFORE, ORDERED that the Court's Order to Show Cause (Doc. 56) is **VACATED**.

IT IS FURTHER ORDERED that the parties submit closing documents to Judge Fouratt on or before May 9, 2019. The parties shall also send a copy of the closing documents to the undersigned's proposed text email, sweazeaproposedtext@dnm.uscourts.gov.

IT IS FURTHER ORDERED that the Court will deny the Plaintiff's motion to compel (Doc. 52) as moot if the parties finalize their settlement and submit closing documents as indicated above. Should the parties not finalize their settlement and submit closing documents as indicated above, the Court will grant Plaintiff's motion to compel (Doc. 52) as requested and order Defendant to provide complete responses on or before **May 13, 2019**.

IT IS FURTHER ORDERED that the settlement conference set for **May 21, 2019** is **VACATED**.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE